REMARKS

Amendments to the Claims

Claims 1, 3, 6 and 13 have been amended for clarification. New claims 14-18 have been added. Claim 2 has been canceled. Support for the amendments is found in at least paragraph [0020], [0029] and [0030] of the specification and claim 2, for example. Support for new claims 14-18 can be found in at least paragraphs [0022], [0033], [0036], [0037] and [0038] of the specification.

35 U.S.C. § 101 Rejections

Claims 1-7 and 10-13 are rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Claim 2 has been canceled rendering the rejection of that claim moot. Specifically, the Office asserts that the claims are directed toward software per se. Applicant respectfully disagrees, but has amended independent claims 1, 6 and 13 to overcome the rejection similarly as suggested by the Examiner. Applicant respectfully requests that the Examiner withdraw the rejection and allow claims 1, 3-7 and 10-13.

35 U.S.C. § 103(a) Rejections

Claims 1, 2, 4-6 and 11-13

Claims 1, 2, 4-6 and 11-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0050681 ("Keys") in view of U.S. Patent No. 6,549,944 ("Weinberg"). Claim 2 has been canceled rendering the rejection of that claim moot.

Independent claim 1 has been amended to clarify that the template includes a data structure and that the data structure includes executable code to generate the executable web scripts based on user requests and the web scripts enable the generation of dynamic webpages. Independent claims 6 and 13 have been amended to include similar, but not identical, features.

Applicant respectfully submits that Keys and Weinberg both fail to teach or suggest such features.

First, Applicant respectfully submits that Keys and Weinberg both fail to teach or suggest the template includes a data structure and that the data structure includes executable code to generate the executable web scripts. This feature is similar to a feature that was found in now canceled claim 2. In the rejection of that claim, the Examiner wrote that such a feature was taught by Keys at paragraphs [0012] and [0027]. Applicant respectfully disagrees.

Paragraphs [0012] and [0027] of Keys at most teach that a user can generate a graphical presentation by selecting one or more templates that describe the layout of the presentation through a webpage. Applicant respectfully submits that while the cited reference does teach a template, it does not include a data structure as claimed. Moreover, even if the template of Keys did include a data structure (which Applicant does not concede), it could not possibly include executable code to generate the executable web scripts as claimed. There is no teaching or suggestion of executable code in the template of Keys, nor are the templates of Keys used to generate executable web scripts. Weinberg could not possibly teach or suggest such a feature in that it has no teaching or suggestion of templates or of data structures.

Second, Applicant respectfully submits that Keys and Weinberg both fail to teach or suggest the executable web scripts enable the generation of dynamic webpages. Weinberg at most teaches capturing user requests (e.g., HTTP requests) made to a web server, and generating an executable script file based on the captured user requests. The executable script file can then be used to test the web server (Weinberg at col. 2, ll. 30-50).

However, Applicant respectfully submits that the generated test scripts in Weinberg at most enable the generation of multiple HTTP requests (col. 32, ll. 22-35). These requests are not

themselves dynamic webpages, nor does the generated script in anyway enable the generation of dynamic web pages. In Weinberg the only scripts that could possibly enable the generation of dynamic webpages are the scripts referenced by the test script itself (i.e., "***URL("http://www.merc-int.com/cgi-bi/login.pl")***"). However, those scripts are not the test scripts that are generated by Weinberg, nor is there any teaching or suggestion in Weinberg that such scripts could be generated. Keys similarly fails to teach or suggest such features.

Accordingly, the grounds for the obviousness rejection are unsupported by the cited art and Applicant respectfully requests withdrawal of this rejection.

Claims 3, 7 and 10

Claims 3, 7 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Keys in view of Weinberg in view of International Patent Application Publication No. WO 03/015055 ("Foo").

Claims 3, 7, and 10 are variously dependent on independent claims 1 and 6 and are therefore allowable over Weinberg and Keys for at least the reasons given for claims 1 and 6. Foo fails to cure the deficiencies of Weinberg and Keys given above. Consequently, combining Keys and Weinberg with Foo does not render all of the features of claims 3, 7 and 10 obvious.

Accordingly, the grounds for the obviousness rejection are unsupported by the cited art and Applicant respectfully requests withdrawal of this rejection.

New Claims 14-18

Applicant respectfully submits that none of the features of new claims 14-18 are taught or suggested by the prior art of record.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, objection, issue, or comment, including the Office Action's characterizations of a reference, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Since the amendments made herein have been made solely in an effort to expedite advancement of this case, Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

Respectfully submitted,

Date: November 9, 2011

Richard C. Weinblatt
Reg. No. 45,500

Stamoulis & Weinblatt LLC
Two Fox Point Centre
6 Denny Road, Suite 307
Wilmington, DE 19809
Telephone: (302) 999-1540